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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

Case No. 8:17-cv-01200-JLS-DFM

Date: June 12, 2019

Title: AMANN USA Inc et al v. Snowy Village USA, Inc. et al

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Present: **Honorable JOSEPHINE L. STATON, UNITED STATES DISTRICT JUDGE**

Terry Guerrero  
Deputy Clerk

N/A  
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

Not Present

Not Present

**PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY  
SANCTIONS SHOULD NOT ISSUE**

On May 3, 2019, the Court held a Final Pretrial Conference in this action, during which the Court noted several deficiencies in the parties' pretrial filings. The Court gave the parties until May 31, 2019 to remedy the deficiencies, and their supplemental filings completely fail to do so. (*See Minutes of FPTC, Doc. 81.*)

For example, the original proposed final pretrial conference order included as "admitted" facts that Plaintiffs argue, but Defendants dispute, were automatically admitted pursuant to Federal Rule of Civil Procedure 36(a)(3). The Court told the parties that they must remove such facts from the final pretrial conference order because they are disputed. Rather than remove the disputed facts, the parties have simply moved them to a new section. (*See Revised Proposed Pretrial Conference Order at 9, Doc. 88-1.*)

Further, the parties had not filled out *any* of the columns in their original joint exhibit list reflecting whether they had stipulated to admit or authenticate exhibits, or whether the parties had any objections. The Court noted that this was inconsistent with the proposed pretrial conference order which listed several objections and provided that "all exhibits shall be admitted without objection at trial," except for those as to which specific objections had been made. (*See Original Proposed Pretrial Conference Order at 51, Doc. 73-1.*) The Court told the parties to meet and confer and fill out the joint exhibit list to be consistent with the representations in the proposed pretrial conference order.

The parties have not done so. First, they have inexplicably imported the joint exhibit list into the revised pretrial conference order. (*See Revised Proposed Pretrial Conference Order at 53.*) It is thus no longer a standalone document as required by Local

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Rule 16-6.1. Second, rather than meet and confer as to authentication and admission of each exhibit, the parties have filled out only the objection column.

The parties do not appear to understand the purpose of the pretrial conference order and related documents – to make trial simpler. Further, the parties are seemingly unable to comply with the Court’s orders; indeed, only after three separate orders did they file all the necessary final pretrial conference documents. (*See* Doc. 76.) Now, after a lengthy final pretrial conference in which the Court walked the parties’ counsel through the specific problems with their filings, they have again filed patently insufficient documents.

Accordingly, the Court **ORDERS** the parties’ counsel to show cause, at a hearing before this Court on August 23, 2019, at 10:30 a.m., why monetary sanctions should not issue for their failure to file documents in compliance with the Court’s orders. The parties’ counsel may each file declarations explaining their deficient filings no later than August 9, 2019.

Initials of Preparer: tg